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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael Paul Tankard	§	Attorney Docket No. 21573.15
	§	
Serial No.: 10/656,821	§	Customer No. 27683
	§	
Filed: September 5, 2003	§	Group Art Unit: 2837
	§	
For: CIRCUIT FOR USE WITH SWITCHED RELUCTANCE MACHINES	§	Examiner: Renata D. McCloud
	§	
	§	Confirmation No.: 9414

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that this correspondence (including any listed enclosures) is being facsimile transmitted to the United States Patent and Trademark Office at (571) 273-8300 on December 28, 2006.


Linda Ingram

**REQUEST FOR RECONSIDERATION OF HOLDING
OF ABANDONMENT, PURSUANT TO MPEP §711.03(c)**

A Notice of Abandonment was mailed in the above-identified application on October 10, 2006, and Applicant acknowledges receipt of this Notice. The provisions of MPEP §711.03(c) specify that:

When advised of the abandonment of his or her application, applicant may . . . ask for reconsideration of such holding, if he or she disagrees with it on the basis that there is no abandonment in fact".

Accordingly, Applicant respectfully requests reconsideration of the holding of abandonment in the present application, on the ground that there is no abandonment in fact. As discussed below,

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Appl. No. 10/636,821
Request for Reconsideration

Attorney Docket No. 21573.15
Customer No. 27683

it is Applicant's understanding that the PTO has already agreed that this particular application is not in fact abandoned.

In more detail, a final rejection was mailed on January 18, 2006. However, following several telephone interviews, Supervisory Primary Examiner (SPE) Marlon Fletcher advised the undersigned by telephone on June 5, 2006 that the final rejection had been withdrawn. On June 9, 2006, before expiration of the six-month period for a reply to the final rejection, the undersigned filed by facsimile an Interview Summary that documented the various telephone interviews, and the fact that Applicant had been advised the final rejection had been withdrawn. That Interview Summary was received by the PTO, and then duly posted in the PAIR system.

Thereafter, on October 10, 2006, the Examiner mailed a Notice of Abandonment, indicating that Applicant had failed to respond to the final rejection of January 18. However, since the final rejection of January 18 had been withdrawn, no reply to it was required. Further, Applicant filed the Interview Summary of June 9 within six months after mailing of the January 18 final rejection, documenting Applicant's understanding that the final rejection had been withdrawn. If the Examiner had in fact checked the PTO computer system to see if Applicants filed any document in reply to the January 18 final rejection, the Examiner would have found Applicant's Interview Summary of June 9, 2006, and it would have reminded the Examiner that the final rejection of January 18 had already been withdrawn by the SPE. Moreover, and contrary to current PTO policy, the Examiner did not make a telephone call to the undersigned before issuing the Notice of Abandonment, or else the undersigned would have reminded the Examiner that the final rejection of January 18 had been withdrawn by the SPE.

SPE Fletcher had been temporarily serving as SPE, and was replaced on a more permanent basis by new SPE Lincoln Donovan. Following receipt of the Notice of Abandonment, the undersigned promptly telephoned SPE Donovan, who indicated that he would vacate the Notice of Abandonment, and have the Examiner issue a new Office Action the following week. When a new Office Action was not received within the indicated time frame, the undersigned made follow up telephone calls to SPE Donovan. On November 21, 2006, SPE

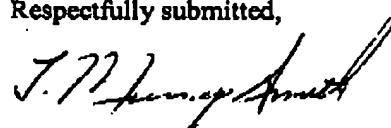
Appl. No. 10/656,821
Request for Reconsideration

Attorney Docket No. 21573.15
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Donovan advised the undersigned by telephone that he had talked to Special Programs Examiner Hien Phan, and that they both agreed the Notice of Abandonment would be withdrawn. However, that telephone conversation occurred a month ago, and to date the PTO has still not yet issued any written communication confirming that the Notice of Abandonment has been withdrawn.

Accordingly, Applicant is filing this Request for Reconsideration in order to confirm the telephone conversations that have occurred between the undersigned and SPE Donovan since mailing of the Notice of Abandonment. In particular, it is Applicant's understanding the PTO agrees (1) that there is no abandonment in fact (because the final rejection of January 18 was withdrawn and no reply to it was required), (2) that the Notice of Abandonment was issued in error, and (3) that the Notice of Abandonment is being withdrawn. Applicant respectfully requests that the PTO promptly issue a written communication confirming that the notice of Abandonment has been vacated.

Respectfully submitted,



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Date: December 28, 2006

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